

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**JOHN LEATO,**

Plaintiff,

v.

**DIVERSE FUNDING ASSOCIATES, LLC,**

Defendant.

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Case No. 15 C 1469


**MEMORANDUM ORDER**

Because original plaintiffs John Leato ("John") and Laurina Leato ("Laurina") -- collectively referred to for convenience as "Leatos" -- had ignored the explicit requirement of this District Court's LR 5.2(f) that a paper copy of every complaint be delivered for the assigned judge's use within one business day after filing, this Court initially followed its customary practice of providing a grace period before issuing a memorandum order that mandates compliance with that LR and imposes a \$100 sanction for the earlier noncompliance. In this instance such a memorandum order was issued and accomplished its purpose in terms of both delivery and payment.

But the delivery gave this Court the opportunity to review Leatos' Complaint, and that review in turn triggered a March 5, 2015 memorandum opinion and order ("Opinion") that called the attention of Leatos' counsel to some basic flaws in terms of the parties on both sides of the "v." sign. After that identification the Opinion concluded by directing Leatos' counsel to file, on or before March 20, "a memorandum supported by appropriate authorities that justify the packaging presented here."

That directive produced results, for on March 12 Leatos' counsel filed a voluntary dismissal without prejudice of defendant Alliant Capital Management, LLC, and on March 18 a like voluntary dismissal was filed without prejudice as to defendants Razor Capital, LLC and Real Time Resolutions, Inc. ("Real Time").<sup>1</sup>

That then effectively leaves only John as a plaintiff and Diverse Funding Associates, LLC as a defendant effectively in the action, but in another demonstration of careless practice plaintiffs' counsel has not dismissed Laurina (whose only claim was against now-dismissed defendant Real Time) as a plaintiff. This Court orders her dismissal sua sponte, and every future filing must (like this memorandum order) reflect that one plaintiff-one defendant posture of this lawsuit in the case caption as well as in the text. Lastly, the earlier-set status hearing at 9 a.m. March 30 will stand.



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Milton I. Shadur  
Senior United States District Judge

Date: March 20, 2015

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<sup>1</sup> Ironically Leatos' counsel, an out-of-state lawyer, again violated LR 5.2(f) -- this time twice -- by failing to deliver copies of both of those voluntary dismissal filings to this Court. Although that omission is difficult to understand, this Court will simply express its puzzlement (remember "The King and I"?) and will not exercise its prerogative of imposing another fine, however justified such an action might be.